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January 25, 2017

VIA ECF

Hon. Ronnie Abrams
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: **NARL Refining Limited Partnership v. BP Products North America, Inc., Case No. 1:16-cv-00404(RA)**

Dear Judge Abrams:

We write in response to the Court's order of January 19, 2017, requesting a status update on the parties' dispute. The parties' arbitration is ongoing. But BP's contractual obligation to supply crude to NR ended on December 10, 2016, as BP acknowledges in its January 24, 2017 letter to the Court (Dkt. 68). NR instituted this proceeding while BP's obligation to supply crude was still in force. The proceeding was necessary to protect NR against BP's threat to renege on its obligations under the contract and drive NR out of business. Now that BP's obligation to supply crude has ended, NR no longer requires this Court's assistance in holding BP to its obligations.

A plaintiff "may dismiss an action without a court order by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." Fed. R. Civ. P. 41(a)(1)(A)(i). BP has not filed an answer or moved for summary judgment. Thus, NR respectfully requests voluntary dismissal of this action under Rule 41.

Respectfully submitted,

/s/ Philippe Z. Selendy
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